

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

WAYNE ABRAHAMSON,  
BERGMAN BROTHERS, and  
WAYNE CARLSON,

Plaintiffs,

vs.

FIRST NATIONAL BANK OF  
HOLDREGE, KENNETH  
SLOMINSKY, ERIC TITUS,  
RONALD STERR, TIM WIEBE,  
JEANETTE HARDEN, KIRK  
RILEY, MARK UTTER, and  
DOUGLAS SCOTT LATTE,

Defendants.

**4:05CV3039**

**MEMORANDUM  
AND ORDER**

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PHILLIP M. KELLY, as Trustee of  
the bankruptcy estate of DENNIS R.  
DAMROW, together with  
SHERRY DAMROW, as their  
interests may be established,

Plaintiffs,

vs.

FIRST NATIONAL BANK OF  
HOLDREGE, KENNETH  
SLOMINSKY, ERIC TITUS,  
RONALD STERR, TIM WIEBE,  
JEANETTE HARDEN, KIRK  
RILEY, MARK UTTER, and  
DOUGLAS SCOTT LATTE,

Defendants.

**4:05CV3040**

**MEMORANDUM  
AND ORDER**

DONALD DAMROW,

Plaintiff,

VS.

FIRST NATIONAL BANK OF  
HOLDREGE, KENNETH  
SLOMINSKY, ERIC TITUS,  
RONALD STERR, TIM WIEBE,  
JEANETTE HARDEN, KIRK  
RILEY, MARK UTTER, and  
DOUGLAS SCOTT LATTEr,

Defendants.

MARTIN DAMROW,

Plaintiff,

VS.

FIRST NATIONAL BANK OF  
HOLDREGE, KENNETH  
SLOMINSKY, ERIC TITUS,  
RONALD STERR, TIM WIEBE,  
JEANETTE HARDEN, KIRK  
RILEY, MARK UTTER, and  
DOUGLAS SCOTT LATTER,

Defendants.

**4:05CV3041**

# MEMORANDUM AND ORDER

**4:05CV3042**

# MEMORANDUM AND ORDER

DAMROW and DAMROW, a  
General Partnership,

Plaintiff,

vs.

FIRST NATIONAL BANK OF  
HOLDREGE, KENNETH  
SLOMINSKY, ERIC TITUS,  
RONALD STERR, TIM WIEBE,  
JEANETTE HARDEN, KIRK  
RILEY, MARK UTTER, and  
DOUGLAS SCOTT LATTE,

Defendants.

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DAMROW FARMS, a  
General Partnership,

Plaintiff,

vs.

FIRST NATIONAL BANK OF  
HOLDREGE, KENNETH  
SLOMINSKY, ERIC TITUS,  
RONALD STERR, TIM WIEBE,  
JEANETTE HARDEN, KIRK  
RILEY, MARK UTTER, and  
DOUGLAS SCOTT LATTE,

Defendants.

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**4:05CV3043**

**MEMORANDUM  
AND ORDER**

**4:05CV3044**

**MEMORANDUM  
AND ORDER**

Identical motions have been filed in all but one<sup>1</sup> of the referenced cases seeking yet another opportunity to amend the complaints that have been dismissed. We have already been through this once. On February 15, 2005, I denied one set of motions seeking amendment of the judgments and orders dismissing the cases.

In this second try, the plaintiffs have filed similar motions, each captioned as a “Motion to Alter or Amend Judgment”, this time accompanied by a proposed amended complaint. The current motions state that they seek reconsideration of the February 15 orders pursuant to Fed. R. Civ. P. 59(e), which permits a motion to alter or amend judgment. In substance, they seek reconsideration of the February 15 denial of leave to alter the judgments and orders so that they may amend the complaints. Upon consideration, I find that the motions should be denied.

IT IS ORDERED:

1. The motions to alter or amend the judgment (4:05CV3039, filing 54; 4:05CV3041, filing 49; 4:05CV3042, filing 47; 4:05CV3043, filing 48; 4:05CV3044, filing 50) are denied; and
2. The Clerk of the Court is directed to file this memorandum and order in each of the individual cases reflected in the joint caption.

March 1, 2006.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge

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<sup>1</sup>No motion was filed in 4:05CV3040. If the identical motion had been filed in that case, I would have denied it as I deny the others.